

Please Direct All Correspondence to Customer Number **20995**

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**TERMINAL DISCLAIMER UNDER 37 CFR § 1.321**

Applicant : George A. Lopez  
App. No : 10/607,946  
Filed : June 27, 2003  
For : FLUID TRANSFER DEVICE AND  
METHOD OF USE  
Examiner : Cris L. Rodriguez  
Art Unit : 3763

**CERTIFICATE OF EFS WEB  
TRANSMISSION**

I hereby certify that this correspondence, and any other attachment noted on the automated Acknowledgement Receipt, is being transmitted from within the Pacific Time zone to the Commissioner for Patents via the EFS Web server on:

February 11, 2008

(Date)



Paul N. Conover, Reg. No. 44,087

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

***Disclaimer by Assignee***

ICU Medical, Inc. ("Assignee"), hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of U.S. Patent Nos. 6,758,833, 5,695,466, 5,694,686, 5,901,942, 6,599,273, 5,690,612, 5,685,866, 5,928,204, 5,873,862, 6,132,403, 6,572,592, 6,682,509, 6,669,673, and any patent issued from any of U.S. Patent Application Nos. 11/417,774, 11/418,531, 11/418,417, 10/882,469, 11/417,642, 11/417,461, 11/417,700, 11/417,452, 11/417,713, 11/381,527, 11/381,524, 11/381,526, 11/417,507, 11/417,669 (collectively referred to herein as the "Identified Patents and Applications"), and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the above-identified application and any of the Identified Patents and Applications are co-owned. This agreement extends to any patent granted on the above-identified application and shall be binding on Assignee, its successors, or assigns.

Assignee does not disclaim the terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of any of the Identified Patents and Applications in the event of a failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. § 1.321(a),

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has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term.

***Right of Assignee and Ownership***

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of a 100 percent interest in the above-identified application as well as the Identified Patents and Applications, all by virtue of assignments recorded at Reel No. 009267 and Frame No. 0886, Reel No. 006696 and Frame No. 0608, Reel No. 007503 and Frame No. 0856, Reel No. 007150 and Frame No. 0042, and Reel No. 007150 and Frame No. 0680 by the Assignment Branch of the Patent and Trademark Office. The Assignee represents that, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to take action.

***Empowerment of Attorney***

Pursuant to 37 C.F.R. 1.321(a) the undersigned attorney of record is empowered to act on behalf of the Assignee, by virtue of a Power of Attorney.

This Terminal Disclaimer is accompanied by the \$130 fee set forth in 37 C.F.R. § 1.20(d).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR LLP



Date: February 11, 2008

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